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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

CHARLYN ELLIS, an individual,

Case No.

Plaintiff,

**DEFENDANT'S NOTICE OF
REMOVAL 28 U.S.C. §§ 1441, 1446(a)**

v.

CITY OF CORVALLIS, acting by and
through the Corvallis City Council,

Defendant.

PLEASE TAKE NOTICE that defendant City of Corvallis hereby removes the above-captioned civil case *Charlyn Ellis v. City of Corvallis*, Benton County Circuit Court No. 24CV03484, to the United States District Court for the District of Oregon, Eugene Division, pursuant to 28 U.S.C. § 1331 and 1446. The grounds for removal are as follows:

1. On January 22, 2024, plaintiff filed a Complaint in the Benton County Circuit Court, Case No. 24CV03484. Pursuant to 28 U.S.C. § 1446(a), a copy of the state court filings, including the Complaint, is attached hereto as **Exhibit 1**.

2. The Complaint contains claims for violation of 42 U.S.C. § 1983. The Court has jurisdiction over the civil rights claims pursuant to 28 U.S.C. § 1331, since those claims raise federal questions.

3. Defendant was served with the Summons and Complaint on January 24, 2024.

4. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal will be promptly filed with the Benton County Circuit Court.

5. Also pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being served on plaintiff's counsel at the address plaintiff's counsel provided the Circuit Court.

WHEREFORE, the above captioned case is hereby removed from Benton County Circuit Court.

DATED: January 31, 2024.

MARKOWITZ HERBOLD PC

s/ Kerry J. Shepherd

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